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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/785,423

02/23/2004

Holger Fleck

915-007.075

8579

4955 7590 08/19/2008

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EXAMINER

YOUNG, JANELLE N

ART UNIT

PAPER NUMBER

2618

MAIL DATE

DELIVERY MODE

08/19/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/785,423	Applicant(s) FLECK ET AL.	
	Examiner Janelle N. Young	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 May 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-51 is/are pending in the application.
- 4a) Of the above claim(s) 1-21 and 32 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 22-31 and 33-51 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 June 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed May 12, 2008 have been fully considered but they are not persuasive.

Frouin teaches in Figure 3 and 9 that a memory that stores information to be transmitted, information which defines notably, in its entirety, the path to be followed by the user data on the communication network and that messages are transmitted over the network, between a source node on the left and a destination node on the right. The arrows oriented from left to right correspond to messages transmitted from the source node for the user data to the destination node for these data, and the arrows oriented from right to left correspond to messages transmitted from the destination node for the user data to the source node for these data; which reads on claimed libation transferring a data collector from the destination communication device to the source communication device, wherein the data collector is programmed to collect user data on the source communication device. (Fig. 3 & 9; Col. 3, lines 20-31; Col. 7, line 59-Col. 8, line 21; Col. 13, line 58-Col. 14, line 19; Col. 14, lines 52-67; Col. 19, lines 46-62; and Col. 23, line 59-Col. 34, line 5 with respect to Col. 9, line 64-Col. 10, line 8 ; Col. 13, lines 1-13 of Frouin).

See Rejection Below.

Response to Amendment

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 22 are 39-51 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter (“user data”) which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The specification only mentions a user database and only mentions data in general.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 22-31 and 33-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Frouin (US Patent 6891797) and further in view of Parry et al. (US Pub 2003/0179112).

As for claim 22 , Frouin teaches a method for transferring data from a source communication device to a destination communication device (Abstract; Col. 1, lines 8-14; and Col. 21, lines 9-31 Frouin), comprising:

establishing a data connection between the source communication device and the destination communication device (Col. 5, lines 10-25; Col. 14, lines 52-67; Col 19, lines 46-62; and Col. 20, lines 44-57 of Frouin);

transferring a data collector from the destination communication device to the source communication device, wherein the data collector is programmed to collect user data on the source communication device, (Fig. 3 & 9; Col. 3, lines 20-31; Col. 7, line 59-Col. 8, line 21; Col. 13, line 58-Col. 14, line 19; Col. 14, lines 52-67; Col. 19, lines 46-62; and Col. 23, line 59-Col. 34, line 5 with respect to Col. 9, line 64-Col. 10, line 8 ; Col. 13, lines 1-13 of Frouin);

executing the data collector in the source communication device for collecting user data to be transferred from the source communication device to the destination communication device using the data collector (Col. 13, line 24-Col. 14, line 67 of Frouin);

transferring the collected user data from the source communication device to the destination communication device using the data collector (Col. 7, line 59-Col. 8, line 21; Col. 8, line 42-Col. 8, line 6; Col. 11, line 35-Col. 12, line 40; and Col. 13, line 24-Col. 14, line 31 of Frouin); and

However, Parry et al. discloses a system and method for automatically converting data ~~and wherein the data collector is an executable file~~ (Page 3, Para 0040; Page 4, Para 0043-0050; and Page 5, Para 0055-0061 of Parry et al.).

.It would have been obvious to one of ordinary skill of the art at the time the invention was made to incorporate a method and device for communicating information, as taught by Frouin, in the system and methods for data conversion of Parry et al., because Parry et al. already teaches that information can be accessed by communicating with the file server through the LAN, or externally via the Internet (Page 2, Para 0029-0030 and Page 4, Para 0051 of Parry et al.).

The motivation of this combination would allow a communication device to provide a computing and information storage and retrieval for personal or business use, often for keeping schedule calendars and address book information. The communication device can be configured to communicate wirelessly using radio frequency (RF) and/or satellite communication to an intermediary device that can continue the communication on a network, as taught by Parry et al. in Page 2, Para 0021-0026. This would allow a communication system for communicating on a network that includes communication devices performs communications in a connected mode or a non-connected mode. For at least one of the communication devices, to effect a transmission in the connected mode, the system performs an information operation during which an item of information representing a passband necessary for the transmission in the connected mode is broadcast on the network. (Abstract of Frouin). The conversion device can first receive information from a remote device 5. Generally,

the information received will include instructional information and reference to the data that is to be converted. (Page 2, Para 0030 of Parry et al. in correspondence with Col. 7, lines 1-41 of Parry et al.).

Note: Frouin teaches the transferring of files and packets (Col. 4, line 66-Col. 5, line 4; Col. 7, lines 23-55; and Col. 13, line 1-Col. 14, line 19 in respect to Col. 1, lines 31-41 of Frouin) Frouin also discloses the communication tools taking into account the description of the application requirements established by the application or the peripheral, which sends the message, during operating (Col. 1, lines 30-41 & 60-64; Col. 2, lines 2-7; Col. 4, lines 24-65; Col. 8, lines 27-41; Col. 8, line 60-Col. 9, line 2; Col. 10, lines 37-55; Col. 11, line 35-Col. 12, line 40; Col. 13, lines 38-57; Col. 18, line 18-Col. 19, line 40; and Col. 34, lines 22-29 & 56-67 of Frouin). The applications are interpreted to read on claimed data collector.

Note: Frouin teaches in Figure 3 and 9 that a memory that stores information to be transmitted, information which defines notably, in its entirety, the path to be followed by the user data on the communication network and that messages are transmitted over the network, between a source node on the left and a destination node on the right. The arrows oriented from left to right correspond to messages transmitted from the source node for the user data to the destination node for these data, and the arrows oriented from right to left correspond to messages transmitted from the destination node for the user data to the source node for these data.

As for claim 23, Frouin teaches a method for transferring data from a source communication device to a destination communication device, wherein a migration tools within the destination communication device migrates the transferred data into the destination communication device by translating the transferred data into a data format of the destination communication device (Col. 10, lines 37-55 of Frouin).

As for claim 24, Frouin teaches a method for transferring data from a source communication device to a destination communication device, wherein the data connection is a connected mode and non-connected mode; which reads on claimed wired or wireless connection (Abstract; Col. 4, lines 43-62; and Col. 9, lines 41-63 of Frouin).

As for claim 25, Frouin teaches a method for transferring data from a source communication device to a destination communication device, wherein the collected data is transferred from the source communication device to the destination communication device using a standard data format (Col. 3, lines 19-30 and Col. 33, lines 19-23 of Frouin).

As for claim 26, Frouin teaches a method for transferring data from a source communication device to a destination communication device, wherein the data collector translates the collected data into the standard data format, wherein the data collector transfers the translated data to the destination communication device using the data connection, and wherein the transferred data is translated from the standard format into a destination communication device specific format using a migration tools (Col. 10, lines 37-55 of Frouin).

As for claim 27, Frouin teaches a method for transferring data from a source communication device to a destination communication device; wherein after establishing the data connection between the source communication device and the destination communication device, the source communication device is identified (Col. 20, lines 44-57 and Col. 27, line 58-Col. 28, line 55 of Frouin).

As for claim 28, Frouin teaches a method for transferring data from a source communication device to a destination communication device, wherein the source communication device is identified by requesting a type identification and/or a capability object of the source communication device (Col. 13, line 58-Col. 14, line 19 of Frouin).

As for claim 29, Frouin teaches a method for transferring data from a source communication device to a destination communication device, wherein the migration tools provides at least one data collector for a particular source communication device, and wherein after identifying the source communication device a compatibility between the source communication device and the at least one provided data collector is checked (Col. 5, lines 26-31; Col. 9, lines 10-13; Col. 13, line 58-Col. 14, line 67; Col. 25, lines 6-14; and Col. 34, lines 55-67 of Frouin).

As for claim 30, Frouin teaches a method for transferring data from a source communication device to a destination communication device, wherein in case none of the at least one provided data collector is compatible with the identified source communication device, a compatible data collector is loaded onto the destination communication device (Col. 13, lines 20-38 and Col. 15, lines 22-27 of Frouin).

As for claim 31, Frouin teaches a method for transferring data from a source communication device to a destination communication device, wherein a communication connection is established between the destination communication device and a server to download a compatible data collector for the identified source communication device from the server onto the destination communication device (Col. 10, line 59-Col. 11, line 29; Col. 13, line 24-Col. 14, line 31; Col. 20, lines 1-16; and Col. 20, line 33-Col. 21, line 46 of Frouin).

As for claim 32, cancelled.

As for claim 33, Frouin teaches a method for transferring data from a source communication device to a destination communication device, wherein the data collector enables access to data within the source communication device (Col. 5, lines 10-26 and Col. 10, lines 30-37 of Frouin).

As for claim 34, Frouin teaches a method for transferring data from a source communication device to a destination communication device, wherein the destination communication device controls the data collector (Col. 15, lines 22-27; Col. 20, lines 17-32; Col. 21, lines 9-31; and Col. 22, lines 38-53 of Frouin).

As for claim 35, Frouin teaches a method for transferring data from a source communication device to a destination communication device, wherein the migration tools within the destination communication device controls the data collector (Col. 10, lines 37-55 and Col. 13, line 58-Col. 14, line 67 of Frouin).

As for claim 36, Frouin teaches a method for transferring data from a source communication device to a destination communication device, wherein the data

collector is executed on the source communication device according to security rules within the source communication device (Col. 2, lines 21-26; Col. 3, lines 32-44; and Col. 20, line 33-Col. 21, line 46 of Frouin).

As for claim 37, Frouin teaches a method for transferring data from a source communication device to a destination communication device, wherein the data collector collects available data types within the source destination communication device, wherein information on the available data types is transferred from the source communication device to the destination communication device, wherein from the available data types, data types can be selected by a user, and wherein only data of the selected data types is collected by the data collector (Col. 15, line 54-Col. 16, line 28 of Frouin).

As for claim 38, Frouin teaches a method for transferring data from a source communication device to a destination communication device, wherein the available data types are presented to a user for user selection via a user interface of the destination communication device (Col. 15, line 54-Col. 16, line 28 of Frouin).

Regarding claim 39, see explanation as set forth regarding claim 22 (method claim) because the claimed system for transferring data from a source communication device to a destination communication device would perform the method steps.

Regarding claim 40, see explanation as set forth regarding claim 22 (method claim) because the claimed communication device for receiving/collecting data from a source communication device to a destination communication device would perform the method steps.

Regarding claim 41, see explanation as set forth regarding claim 22 (method claim) because the claimed communication device for transferring data from a source communication device to a destination communication device would perform the method steps.

Regarding claim 42, see explanation as set forth regarding claim 22 (method claim) because the claimed computer program for transferring data from a source communication device to a destination communication device would perform the method steps.

Regarding claim 43, see explanation as set forth regarding claim 22 (method claim) because the claimed method for transferring data from a source communication means to a destination communication means using the data collector means would perform the method steps.

Regarding claim 44, see explanation as set forth regarding claim 22 (method claim) because the claimed system for transferring data from a source communication device to a destination communication device using the data collector means would perform the method steps.

Regarding claim 45, see explanation as set forth regarding claim 22 (method claim) because the claimed communication device for receiving/collecting data from a source communication means to a destination communication means using the data collector means would perform the method steps.

Regarding claim 46, see explanation as set forth regarding claim 22 (method claim) because the claimed communication device for transferring data from a source

communication means to a destination communication means using the data collector means would perform the method steps.

Regarding claim 47, see explanation as set forth regarding claim 22 (method claim) because the claimed computer program for transferring data from a source communication device to a destination communication device using the data collector means would perform the method steps.

4. As for claim 48, Frouin teaches a method comprising:

establishing a data connection between the source communication device and the destination communication device (Col. 5, lines 10-25; Col. 14, lines 52-67; Col. 19, lines 46-62; and Col. 20, lines 44-57 of Frouin),

identifying the source communication device with a migration tool of the destination communication device after establishing the data connection between the source communication device and the destination communication device (Col. 18, line 56-Col. 19, line 18; Col. 23, lines 36-56; and Col. 27, line 57-Col. 28, line 55 of Frouin),

selecting a data collector depending on the identified source communication device (Col. 10, lines 37-58 and Col. 13, lines 32-57 of Frouin),

executing the data collector in the source communication device collecting user data to be transferred from the source communication device to the destination communication device using the data collector (Col. 13, line 24-Col. 14, line 67 of Frouin),

transferring a data collector programmed to collect user data from the source communication device from the destination communication device to the source communication device (Fig. 3 & 9; Col. 3, lines 20-31; Col. 7, line 59-Col. 8, line 21; Col. 13, line 58-Col. 14, line 19; Col. 14, lines 52-67; Col. 19, lines 46-62; and Col. 23, line 59-Col. 34, line 5 of Frouin),

transferring the collected user data from the source communication device to the destination communication device using the data collector (Col. 7, line 59-Col. 8, line 21; Col. 8, line 42-Col. 8, line 6; Col. 11, line 35-Col. 12, line 40; and Col. 13, line 24-Col. 14, line 31 of Frouin).

However, Parry et al. discloses a system and method for automatically converting data and wherein the data collector is an executable file (Page 3, Para 0040; Page 4, Para 0043-0050; and Page 5, Para 0055-0061 of Parry et al.).

It would have been obvious to one of ordinary skill of the art at the time the invention was made to incorporate a method and device for communicating information, as taught by Frouin, in the system and methods for data conversion of Parry et al., because Parry et al. already teaches that information can be accessed by communicating with the file server through the LAN, or externally via the Internet (Page 2, Para 0029-0030 and Page 4, Para 0051 of Parry et al.).

The motivation of this combination would allow a communication device to provide a computing and information storage and retrieval for personal or business use, often for keeping schedule calendars and address book information. The communication device can be configured to communicate wirelessly using radio

frequency (RF) and/or satellite communication to an intermediary device that can continue the communication on a network, as taught by Parry et al. in Page 2, Para 0021-0026. This would allow a communication system for communicating on a network that includes communication devices performs communications in a connected mode or a non-connected mode. For at least one of the communication devices, to effect a transmission in the connected mode, the system performs an information operation during which an item of information representing a passband necessary for the transmission in the connected mode is broadcast on the network. (Abstract of Frouin). The conversion device can first receive information from a remote device 5. Generally, the information received will include instructional information and reference to the data that is to be converted. (Page 2, Para 0030 of Parry et al. in correspondence with Col. 7, lines 1-41 of Parry et al.).

Note: Frouin teaches in Figure 3 and 9 that a memory that stores information to be transmitted, information which defines notably, in its entirety, the path to be followed by the user data on the communication network and that messages are transmitted over the network, between a source node on the left and a destination node on the right. The arrows oriented from left to right correspond to messages transmitted from the source node for the user data to the destination node for these data, and the arrows oriented from right to left correspond to messages transmitted from the destination node for the user data to the source node for these data.

5. As for claim 49, Frouin teaches a system comprising:

a destination communication device, and a source communication device, the destination communication device and the source communication device comprising communication units to establish a data connection (Abstract; Col. 1, lines 8-14; and Col. 21, lines 9-31 of Frouin),

the destination communication device comprises:

a migration tool arranged for identifying the source communication device after establishing the data connection between the destination communication device and the source communication device (Col. 5, lines 26-31; Col. 9, lines 10-13; Col. 10, lines 37-55; Col. 13, line 58-Col. 14, line 67; Col. 25, lines 6-14; and Col. 34, lines 55-67 of Frouin), and

for selecting a data collector programmed to collect user data from the source communication device depending on the identified source communication device (Fig. 3 & 9; Col. 10, lines 37-58 and Col. 13, lines 32-57 of Frouin),

wherein the communication unit is arranged for transferring the selected data collector from the destination communication device to the source communication device, and

the source communication device comprising:

an operating environment to ~~run~~ execute the selected data collector for collecting data to be transferred from the source communication device to the destination communication device and for transferring the collected data from the source communication device to the destination

communication device (Abstract; Col. 4, lines 17-65; and Col. 17, line 53-
Col. 19, line 40 of Frouin).

However, Parry et al. discloses a system and method for automatically
converting data ~~and wherein the data collector is an executable file~~ (Page 3, Para 0040;
Page 4, Para 0043-0050; and Page 5, Para 0055-0061 of Parry et al.).

It would have been obvious to one of ordinary skill of the art at the time the
invention was made to incorporate a method and device for communicating information,
as taught by Frouin, in the system and methods for data conversion of Parry et al.,
because Parry et al. already teaches that information can be accessed by
communicating with the file server through the LAN, or externally via the Internet (Page
2, Para 0029-0030 and Page 4, Para 0051 of Parry et al.).

The motivation of this combination would allow a communication device to
provide a computing and information storage and retrieval for personal or business use,
often for keeping schedule calendars and address book information. The
communication device can be configured to communicate wirelessly using radio
frequency (RF) and/or satellite communication to an intermediary device that can
continue the communication on a network, as taught by Parry et al. in Page 2, Para
0021-0026. This would allow a communication system for communicating on a network
that includes communication devices performs communications in a connected mode or
a non-connected mode. For at least one of the communication devices, to effect a
transmission in the connected mode, the system performs an information operation
during which an item of information representing a passband necessary for the

transmission in the connected mode is broadcast on the network. (Abstract of Frouin). The conversion device can first receive information from a remote device 5. Generally, the information received will include instructional information and reference to the data that is to be converted. (Page 2, Para 0030 of Parry et al. in correspondence with Col. 7, lines 1-41 of Parry et al.).

Note: Frouin teaches in Figure 3 and 9 that a memory that stores information to be transmitted, information which defines notably, in its entirety, the path to be followed by the user data on the communication network and that messages are transmitted over the network, between a source node on the left and a destination node on the right. The arrows oriented from left to right correspond to messages transmitted from the source node for the user data to the destination node for these data, and the arrows oriented from right to left correspond to messages transmitted from the destination node for the user data to the source node for these data.

6. As for claim 50, Frouin teaches a communication device comprising:

a migration tool arranged for identifying the source communication device after establishing a data connection between the destination communication device and the source communication device, and for selecting a data collector programmed to collect user data from the source communication device depending on the identified source communication device, (Abstract; Fig. 3 & 9; Col. 1, lines 8-14; and Col. 21, lines 9-31 of Frouin)

a communication unit to establish a data connection with the source communication device, and arranged for transferring the selected data collector from the destination communication device to the source communication device (Col. 10, lines 37-58 and Col. 13, lines 32-57 in respect to Col. 5, lines 10-25; Col. 14, lines 52-67; Col 19, lines 46-62; and Col. 20, lines 44-57 of Frouin).

However, Parry et al. discloses a system and method for automatically converting data ~~and wherein the data collector is an executable file~~ (Page 3, Para 0040; Page 4, Para 0043-0050; and Page 5, Para 0055-0061 of Parry et al.).

It would have been obvious to one of ordinary skill of the art at the time the invention was made to incorporate a method and device for communicating information, as taught by Frouin, in the system and methods for data conversion of Parry et al., because Parry et al. already teaches that information can be accessed by communicating with the file server through the LAN, or externally via the Internet (Page 2, Para 0029-0030 and Page 4, Para 0051 of Parry et al.).

The motivation of this combination would allow a communication device to provide a computing and information storage and retrieval for personal or business use, often for keeping schedule calendars and address book information. The communication device can be configured to communicate wirelessly using radio frequency (RF) and/or satellite communication to an intermediary device that can continue the communication on a network, as taught by Parry et al. in Page 2, Para 0021-0026. This would allow a communication system for communicating on a network that includes communication devices performs communications in a connected mode or

a non-connected mode. For at least one of the communication devices, to effect a transmission in the connected mode, the system performs an information operation during which an item of information representing a passband necessary for the transmission in the connected mode is broadcast on the network. (Abstract of Frouin). The conversion device can first receive information from a remote device 5. Generally, the information received will include instructional information and reference to the data that is to be converted. (Page 2, Para 0030 of Parry et al. in correspondence with Col. 7, lines 1-41 of Parry et al.).

Note: Frouin teaches in Figure 3 and 9 that a memory that stores information to be transmitted, information which defines notably, in its entirety, the path to be followed by the user data on the communication network and that messages are transmitted over the network, between a source node on the left and a destination node on the right. The arrows oriented from left to right correspond to messages transmitted from the source node for the user data to the destination node for these data, and the arrows oriented from right to left correspond to messages transmitted from the destination node for the user data to the source node for these data.

Regarding claim 51, see explanation as set forth regarding claim 49 (method claim) because the claimed computer program for transferring data from a source communication device to a destination communication device would perform the method steps.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Takiyasu et al. (US Patent 5113392) teaches a communication apparatus used in transmission systems wherein bursty information (or messages) such as LAN frames and packet frames are segmented into packets of a single fixed length or multiple fixed lengths, and a plurality of packets are multiplexed and transmitted to a transmission line. This invention particularly relates to the apparatus structure for reassembling received packets into the original transmitted information and to the reassembling method.

Taguchi et al. (US Patent 6226385) teaches an encryption communication system in which the respective encrypt apparatuses for relaying communication data among communication terminals installed in a communication network perform encryption communications after learning own encrypt keys.

Oguchi (US Pub 20020023152) teaches a technology in a relay system for relaying communication data between a plurality of domains by an address translation, is capable of executing, even when there are both streams of inter-domain and intra-domain communications, the communications with security ensured without setting a complicated packet filter between the domains, and routing a packet at a high speed within the domain.

Shaffer et al. (US Patent 6373940) teaches a communication system for transmitting address changes. A communication system includes a source

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communication system and one or more destination communication systems, each of which is identified by a unique number or address. A memory in the source communication system maintains a record of each destination communication system that communicates with it. If the number or address of the source communication is changed, the source communication system generates a new number or address message, which is transmitted to each of the destination communication systems. The destination communication systems receive the new number or address message and update a memory to reflect the new number or address of the source communication system. Those destination systems that are able to read the new number or address message and update a record of the number or address for the source communication system generate an acknowledge signal which is transmitted to the source communication system. The source communication system may transmit a human readable new number or address message to those destination communication systems that have not transmitted the acknowledge signal. The communications systems may comprise telephones, facsimile machines or computers having e-mail or IP addresses.

Hardjono (US Patent 6425004) teaches a technique for detecting and locating a misbehaving router divides the network domain into multiple sectors and uses a two-level authentication scheme to allow a receiving device to authenticate that a particular packet originated in a particular sector. More specifically, an originating device includes a sector tag and a device tag in the packet. The sector tag is computed using a sector key known to all devices in the network domain, and allows any receiving device to authenticate the originating sector for the packet. The device tag is computed using a

device key known only to the device and to a secure and trusted authority within the same sector. Upon receiving the packet, a receiving device authenticates the packet by computing a sector verification tag and comparing the sector verification tag to the sector tag in the packet. If the sector verification tag does not match the sector tag in the packet, then the receiving device drops the packet. If the sector verification tag matches the sector tag in the packet, but the packet includes invalid data, then the receiving device forwards the packet to a secure and trusted authority in the receiving sector. The secure and trusted authority in the receiving sector forwards the packet to other secure and trust authorities in other sectors. Each secure and trusted authority that receives the packet is able to determine whether any device in its sector is the originating device for the packet by computing device verification tags for each device in the sector and comparing the device verification tags to the device tag in the packet.

Morita et al. (US Pub 20040114575) teaches a switching system that switches audio calls, etc., carried out in real time between communication terminals via the Internet, a LAN, or the like, and more particularly to a method for achieving efficiency of processing for putting a call on hold while in progress, transferring a call to another communication terminal, and so forth.

Sugaya (US Pub 20040114521) teaches a wireless communication system and wireless communication control method, a wireless communication device and wireless communication method, and a computer program for communicating between multiple wireless stations as in a wireless LAN (Local Area Network). More particularly, the present invention relates to a wireless communication system and wireless

communication control method, a wireless communication device and wireless communication method, and a computer program for configuring a wireless network by ad-hoc communication without installing a particular device serving as the control station.

Terao et al. (US Patent 7085382) teaches a communication device which can be freely inserted into and extracted from a slot of a terminal device has its part exposed from the terminal device when inserted into the slot applied a color according to a kind of the communication device and includes a radio unit adapted to a predetermined mobile communication service, applied a color according to a kind of the mobile communication service and storing information necessary for the connection to a specific provider.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Janelle N. Young whose telephone number is (571) 272-2836. The examiner can normally be reached on Monday through Friday: 10:00 am through 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on (571) 272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Janelle N. Young/
Examiner, Art Unit 2618

/Nay A. Maung/
Supervisory Patent Examiner, Art
Unit 2618